

JOURNAL OF THE SOCIETY OF ORIENTAL RESEARCH

EDITED BY SAMUEL A. B. MERCER

PROFESSOR IN THE WESTERN THEOLOGICAL SEMINARY, CHICAGO

Volume II

OCTOBER, 1918

Number 2

EDITORIAL NOTE

IN assuming her part in the present great conflict, America has entered into the sphere of world politics. As in the past Western Asia and Egypt have played a leading rôle in human affairs, so now and in the future they are destined to take important parts. The average American knows very little about Oriental history, manners, and customs; and the number of leaders of thought in America which is familiar with these matters is lamentably small. The SOCIETY OF ORIENTAL RESEARCH feels that the work of its JOURNAL should appeal not only — though primarily — to the Oriental specialist, but also through him to that larger class of thinkers, whose duty is, and will be, to formulate the policies of our nation in Oriental affairs.

The governments of European countries have in the past given substantial aid to Oriental societies. This is perhaps more than can be expected from our government at present, but the work of such societies should none the less appeal to far-seeing and patriotic benefactors.

It is with great sadness that we record the death of Mr. WILLIAM R. STIRLING, our first patron, and friend of Oriental learning.

Journal of the Society of Oriental Research

EARLY BABYLONIAN MORALS

By SAMUEL A. B. MERCER, Western Theological Seminary, Chicago

I. INTRODUCTION

To avoid needless repetition, the reader of these studies in morals is referred to the introductory remarks in the articles on "Sumerian Morals" and "Early Egyptian Morals" (JSOR, I, 47 ff.; II, 3 ff.) for the point of view adopted in these discussions.

The subject of this present study is early Babylonian morals, meaning thereby, the morals of the Babylonians of the Hammurapi, or First Babylonian, dynasty, 2225-1926 B.C.

In studying early Babylonian morals, it must be borne in mind that the Babylonians were the heirs of Sumerian culture, and what was customary in Sumerian times must be assumed to have been customary in Babylonia, provided no evidence to the contrary be found. Yet, in this article no use is made of any evidence earlier than the time of the Hammurapi dynasty, except the earlier portions of the Code of Hammurapi. The conclusions will thus be based upon contemporaneous inscriptions.

The sources used¹ are: (1) Babylonian historical inscriptions, (2) Babylonian laws and legal documents, especially the great Code of Hammurapi, and (3) Babylonian letters. No use has been made of poetical and religious literature, such as, epics, legends, omens, incantations, hymns and liturgies, because of the uncertainty of dating of all such literature. It has been considered best, for the present, to base our conclusions upon only those inscriptions whose dates are certain. In this way our conclusions may be less complete than they would have been had we made use of all poetical and religious literature, but the use of this latter would introduce a large

¹ For abbreviations see JSOR I, 49. Others are: KHB = King, *A History of Babylon*, New York, n.d.; MOB = Mercer, "Oath in Babylonian Inscriptions of the time of the Hammurapi Dynasty," *AJSL* 29, 65 ff.; U = Ungnad, *Babylonische Briefe aus der Hammurapi-Dynastie*, Leipzig, 1914; UBL = Ungnad, *Babylonian Letters of the Hammurapi Period*, Philadelphia, 1915.

element of uncertainty. Whereas, the picture of early Babylonian morals drawn by means of a study of material which can with certainty be dated will serve as a criterion in an attempt, which must be made sooner or later, to determine the date of Babylonian poetical and religious inscriptions. The older elements in the Code of Hammurapi are used, being an integral part of the laws of the time.

II. MORAL MATERIALS IN EARLY BABYLONIAN INSCRIPTIONS

1. *Family Virtues and Vices*

The family was the basis of early Babylonian society, and began with the marriage of two persons. Preparatory to marriage the consent of the parents or guardians was required (KU, 6, 8), and the bride-price (*tirhatu*), as a rule, had to be paid (KU 4, 8, 10, etc.), although CH 139 shows that a bride-price was not always required. A pre-marriage understanding, equivalent to a modern betrothal period, was recognized. It was sanctioned by a promise, which was legal to the extent of forfeiting the gift to the bride (*biblu, nudunnu*) in case of breach of promise. Thus, "If a man, who has presented a gift to the house of his prospective father-in-law and has given the bride-price, has afterward looked upon another woman and has said to his father-in-law, 'I will not marry your daughter'; the father of the girl shall keep whatever he has brought as a present" (CH 159). On the other hand, also, if the father of the girl causes a breach of promise "he shall return double all that was presented to him" (CH 160). And if said breach was ultimately due to a rival, the rival was not permitted to marry the girl (CH 161). A betrothed girl, if she was a virgin, was inviolable, and in case of flagrant assault the culprit was put to death (CH 130).

As far as is known, marriage normally consisted in the legal union of one man with one woman, although this was not a law, polygamy and concubinage being equally permissible. In normal society, under normal circumstances, monogamy is necessarily the form which marriage always takes, and this was so very largely in early Babylonia,² but there was no law demanding it.

Marriage was a legal contract and was not valid otherwise (CH 128). The contract was made usually between the bridegroom and

² Monogamy was more common then than in Assyrian Times, JBAL 134.

his father-in-law rather than between him and the woman (CH 156), although there were of course exceptions, where for example the father-in-law was dead.³ In any case, the contract was very binding, being often made under oath and in the presence of witnesses. There was a written statement in which conditions were mentioned, and provision for possible disagreements and even for divorce was made.⁴

Because of the fact that a bride-price had to be furnished by the bridegroom, it is usually said that the bride in early Babylonian times was acquired by purchase. This was almost invariably the rule (KU 9, 424, etc.), though there were exceptions (CH 139). It was a custom rather than an established law.

A man was permitted to have more than one wife and even to marry two sisters,⁵ as in the case of Jacob, but the custom is not known to have been very common. What was more usual was for a man to take a concubine (*šugitu*). The concubine was a free woman, but had not the status of a wife, although she had the same rights over her dowry (*šeriktum*) as a legal wife (CH 137). Barrenness on the part of the wife furnished her husband an excuse for taking a concubine, but if the barren wife gave her husband a maid (*amtu*) he could not take a concubine. If a man divorced a concubine who had borne him children she could receive her dowry besides support for her children and was permitted to remarry (CH 137). A concubine's daughter shared in the goods of her father's house and was given a dowry (CH 183-184). There is no evidence of the custom of levirate marriage during this period.⁶

In early Babylonia slave-wives were common (KU 2, 3, 424, 435) but if such a wife bore children to her husband she was to be freed on his death (CH 171), and had to be ransomed in case she was held for her husband's debt (CH 119). Her sons inherited equally with the sons of the wife, provided always that they were formally adopted by the father before his death (CH 170-171). If, however, the sons of a slave-wife fail to support her, or repudiate their father, they forfeit their right to their father's property (KU 778). Likewise if a slave-wife repudiated her sons she forfeited her right in the

³ Cf. JBAL 137. ⁴ Cf. JBAL 140; MOB 88.

⁵ KU 10; cf. Cruveilhier, "La monogamie et le concubinat dans le Code de Hammourabi," *Revue Biblique*, 1917, 270-286. ⁶ Cf. AJSL 33, 146.

property of her husband (KU 778). If a second wife repudiated her sister, the first wife, saying, "thou art not my sister," she was branded by the husband and sold (KU 3).

A votary was a highly favored woman, who was given a portion exactly like a bride, when she took her vow. But her property did not go to the convent. She was permitted to leave the convent and marry, but she was always expected to remain a virgin. Being debarred from bearing children, she was obliged to provide her husband with a maid.⁷ She inherited and shared in her father's property (CH 180),⁸ and could dispose of it as she willed, provided she possessed a written statement to that effect from her father, otherwise it went to her brothers (CH 178-179). A votary who has given children to a man makes it impossible for him to take a concubine (CH 144), otherwise he may take a concubine (CH 145). A Marduk votary had special privileges, e.g., whether her father gave her a written deed or not she could do what she pleased with her share in the property (CH 182). A divorced votary was permitted to remarry and if she had given her husband children she received her dowry and support for her children (CH 137). The slanderer of a votary who could not justify himself was branded (CH 127), but a votary who opened a beer-shop or entered one for drink was to be put to death (CH 110). A maid who had borne children to a votary's husband and made herself equal to the votary was to be enslaved (CH 146), but if she had not borne children she was to be sold to another (CH 147).

Besides votaries, there were temple maids (*kadišum* or *zêrašitum*) who were dedicated to the service of the temple and were given a dowry; but in case such a person was not given a dowry, after her father's death, she inherited one-third of the portion of a son (CH 181). These temple maids could also act as wet-nurses.⁹

The father was head of the family, but his control was limited. He was naturally expected to be interested in his children (U 137), but both parents were often cruel to their children (U 210). In case

⁷ Cf. JBAL 137; Lyon, "The Consecrated Woman of the Hammurabi Code," *Studies in the History of Religion presented to C. H. Toy*, New York, 1912, pp. 341 ff.; King, *A History of Babylon*, New York, pp. 186 f.

⁸ Grant, *Cuneiform Documents in the Smith College Library*, Haverford, 1918, p. 14.

⁹ KU 32; cf. Luckenbill, "The Temple Women of the Code of Hammurabi," *AJSL* 34, 1-12.

of marriage, the father's consent was necessary (Babyl. 3, 127); he was obliged to provide his son with the bride-price (Babyl. 3, 166); he had full power to dispose of his daughters, and was expected, in marriage, to furnish them with a dowry, although this was not obligatory (Babyl. 3, 178); and he could give his daughter in marriage as a concubine (Babyl. 3, 183), but he could not hinder her from becoming a votary if she so desired (Babyl. 3, 178).

When a man died his property was divided according to rigid laws of inheritance (KU 45, etc.), which were usually most fair (CH 167), although he could show preference provided a written deed was legally made and sealed (CH 165). He had the power of disinheritance, but not for the first offence (CH 169), and then only when the son had been duly tried before a judge (CH 168; KU 737).¹⁰

The husband's business relations with his wife were controlled by law. A man was required to pay his wife's expenses if he deserted her (KU 1). A husband provided in his will for his wife, by deeding her property (CH 150). He could also appear in court on her behalf.¹¹

Woman enjoyed a very high position in early Babylonia. She had full legal and business rights, and could transact business with men or with other women (e.g., KU 910; AJSL 1914, 186). She could act as witness in all kinds of legal contracts (MOB, *passim*). A wet-nurse could legally collect her hire (KU 33), and in case her employers could not pay she had the right to keep the child with an additional fee (KU 32).

A wife had independent business rights (KU 361, 500, etc.), and could appear in court for her husband (U 717).¹² She was not responsible for antenuptial debts of her husband (CH 151).

The husband, however, was allowed to be very severe with his wife. If the wife is a worthless gadabout the husband may refuse to divorce her but make her a slave and marry another (CH 141); and if she belittled her husband she was drowned (CH 143). If she connived at her husband's death she was impaled (CH 152), and if she got a distaste¹³ for her husband she was to be cast down

¹⁰ Lutz, *Early Babylonian Letters from Larsa*, New Haven, 1917, No. 50, p. 13.

¹¹ Thureau-Dangin, "Un Jugement sous Ammi-Ditana," RA 7, 121 ff.

¹² See, however, Thureau-Dangin, "Un Jugement," RA 7, 121 ff.

¹³ See, JSOR, "Sumerian Morals," n. 32.

from a tower. On the other hand, a woman could repudiate her worthless husband and take her dowry to her father's house (CH 142); and the vicious slanderer of a married woman was punished by branding (CH 127). But if a free-woman married a slave, the slave's master inherited certain rights over her, for, on the death of the slave, she was obliged to share her property equally with the master (CH 175).

When the wife of a man died her dowry went to her children (CH 162). If however, she had no children, and her father had returned the bride-price, the dowry goes to her father (CH 163). A woman who had a dowry, and had received a bride-price, owned her children as an inheritance (KU 10). A mother could give her daughter in marriage (KU 1) and could dower her.¹⁴

Hammurapi in the Epilogue to his great Code provided that justice be given to the widow and orphan. And so we see by the Code that a widow had the right to stay on in her husband's house till she died (CH 172), but was not compelled to do so (CH 173). If she remained she was the head of the family. A widow retained her dowry,¹⁵ as well as whatsoever her husband settled upon her, but she had no power to alienate these, for they went to her children at her death (CH 171), but she could favor that one of her children who loved her best (CH 150). Her children could not turn her out of her home (CH 172), but if childless she could remarry at will (CH 172), when she could take her dowry with her (CH 173). A widow with young children, however, could not remarry without the consent of a judge (CH 177).

The Epilogue of Hammurapi's Code makes it clear that it is a misfortune not to have children, and, while early Babylonian law provided that children be treated with justice, yet they were, in a way, the property of their parents. The father or mother could hire a son (KU 538, 552) or a brother could hire a brother (KU 561). The children of different wives but of the same father apparently had equal rights (KU 3), and children of a free-woman by a slave were free (CH 175).

A son was the legal successor of his father (CH 28), and the oldest son received an extra portion of his father's property (KU 778). A

¹⁴ Lutz, *op. cit.*, No. 25, p. 12.

¹⁵ Lutz, *op. cit.*, 12.

youth could be disinherited.¹⁶ Daughters likewise shared in the property of their parents (KU 35).

Incest of whatever variety was severely punished (CH 154, 155, 157), as also was kidnapping (CH 14). It was not permissible for children to persecute their mother (CH 172). Children in early Babylonian times were just as dependent upon the goodwill of their parents as at all times. A son writes to his home for motherly comfort as well as for material help (U 117), but a daughter who has not received a favorable answer from her father hints that she will not pray for him (JBAL 333). Children were likewise expected to be good to one another. Brother should be thoughtful for brother (U 143), good deeds prove brotherliness (AJSL 1916, 273, no. 7), and a sister who repudiates her brother is deprived of her property (KU 15).

Adoption was a legal contract in early Babylonia (e.g., KU 14), the form being stereotyped (JBAL 157). If the parents of the child were living their consent had first to be procured (JBAL 156). A man was permitted to adopt a natural son (CH 185). The adopted child became the brother or sister of the other children of the adoptive parents (KU 17), and had certain specified rights. He could demand a house (U 164); had the right to inherit (CH 190), and could rank as an eldest son in a family (JBAL 156). On the other hand, an adopted child was under obligations to his adoptive parents, and was punished if neglectful (JBAL 150, 159, 160; KU 24).

It was possible to adopt the mother as well as the child (KU 30), and a disinherited son could be adopted.¹⁷ If an adopted son discovers his parents he could legally return to them (CH 186).

Adoptive parents could not repudiate their adopted children with impunity. If a man repudiates his adopted son, and has sons of his own, the adopted son has a right to a share in the property (KU 22); and if a woman repudiated her adopted daughters she was fined (KU 24, 781). If adoptive parents repudiated their adopted son and tried to enslave him he could leave them (KU 14).¹⁸ However, an adopted son could be disinherited provided he received one-third of a son's share in goods (not in field, garden or house) (CH 191).

On the other hand, if an adopted child repudiated his father or mother, they could brand him and sell him (KU 14, 19), or his

¹⁶ Lutz, *op. cit.*, 13; cf. KU 16.

¹⁷ Lutz, *op. cit.*, p. 13.

¹⁸ Cf. KU 17, 782.

tongue could be cut out (CH 192), or his eyes torn out (CH 193). A girl who repudiated her foster mother was enslaved (KU 24, 781). But if a woman attempted to enslave a dutiful adopted daughter, the girl could return home (KU 24), although the adoptive mother had a right to give her in marriage or to make her a devotee of a temple (KU 24).

When marriage was entered into, a contract could be made that no divorce be allowed (KU 11), but ordinarily an interruption of the marriage relationship was brought about by divorce. A man may divorce his wife who has not borne him children, in which case he returns the bride-price and dowry (CH 138).¹⁹ If there was no bride-price he paid one mina of silver, if he was a patrician, and one-third if he was a plebeian (CH 139, 140). Simple repudiation, was sufficient to bring about a divorce, e.g., a man need only to say to a worthless wife, "I divorce her," in which case she receives nothing (CH 141; KU 5). But if the repudiation has been vicious, the husband is punished in various ways (KU 2, 5). Of course, the penalties of repudiation is contingent upon a legal marriage (KU, *passim*); and after a woman has been legally divorced, her former husband cannot object to her remarriage (KU 13).

A woman in early Babylonian times, unlike her sister of earlier Sumerian life, could divorce her husband by simple repudiation but had to pay a fee besides her dowry (KU 777). But if the repudiation was vicious she was punished by being enslaved (KU 5, 7, 778) or by being killed (KU 2, 3). In case of divorce, however, the children were not disinherited (KU 5).

The grounds for divorce were various. If a wife was diseased her husband could not divorce her, but he could marry another (CH 148), but if she would not stay with the new wife she was divorced by being sent back to her father with her dowry (CH 149). If a man voluntarily deserted his wife, she had a right to remarry (CH 136); if he was made captive, but left at home sufficient maintenance for his wife, she was expected to be faithful, but if she was not true to her absent husband she was treated as an adulteress and drowned (CH 133; cf. CH 129). If, however, she was not well provided for she was permitted to remarry (CH 135).

¹⁹ Cf. KU 7, 13, 777.

2. *Social Virtues and Vices*

Early Babylonian, as well as Sumerian, society consisted of three classes: the *amêlu*, which included the king, the chief officers of state, and landed proprietors; the *muškenu*, which included the bulk of the subject population; and the *ardu* or slave. At the head stood the king as representative of the gods. In the case of Hammurapi we have an example and model of the ideal king. From the Epilogue and Prologue to his Code we are reminded that he is "the perfect king," "a ruler who is like a real father to his people," he was the doer of right (KU 247), "the king of righteousness," whose "sceptre is righteousness," "who made justice prevail and who ruled the race with right," who "made righteousness to shine forth on the land," who "established law and justice in the land and promoted the welfare of the people," whose ideal was a "peaceful country" and "pure judgment," and who "brought about plenty and abundance." In short, the king was considered perfect and as such was honored with titles which actually related him to the gods. He was, thus, the son of the god (RA 9, 123), and sometimes, as in the case of Hammurapi, was supplicated and revered almost like a god. Hammurapi was undoubtedly an exceptional king, who was not only himself a righteous ruler, but who also expressed the wish that his successors would be as righteous and as vigilant in rooting out the wicked and evil-doer from the land as he was.

The king was the fountain of all law, and from him radiated the power which set in motion the machinery of the state. He gave directions for the levying of taxes and tribute and through him the state controlled business and commerce.

The king was the champion of the oppressed individual, and was ever active in righting any wrong that may have been done to him. He opposed the oppression of the weak by the strong, and he held his officials to the duty of observing the same standard of righteousness (CH 23). He set his face against official corruption, against greed in business, and against robbery and theft. To assist him in the administration of the state he created an army of officials whose benefices were inalienable (CH 35) from the official line (CH 38).

The state likewise took an interest in the individual, and ransomed a man if neither he himself nor the temple could do so (CH 32). The state was in such matters an agent of the king, just as the temple was (CH 32). This interest was a duty to which the individual was fully alive.²⁰ In fact, the individual in early Babylonia was as much alive to his personal interests as at any other period of the world's history.

The individual Babylonian though strictly classified was nevertheless carefully guarded in his rights. Thus if a rich man stole, the deed was punished in the light of his riches, that is, he had to pay more in compensation than if a poor man stole (KHB 164). Yet if a poor man had nothing to pay for such an offence he was to be put to death. In like manner, the fine for a quarrel between two nobles was larger than if it had been between two poor men (KHB 165); but it should also be noticed that if a man of noble class made an assault upon a poor man he was taxed less than if the assault had been upon one of his own class (KHB 165). If a member of the middle class made an assault upon a noble the assault was punished by being publicly beaten (KHB 165).

The individual was treated in every way as thoroughly responsible. He was free to make gifts with, of course, the consent of those interested; he had the right to protest against injustice (U 154); and his slanderer was punished with death (CH 11). On the other hand, the individual was held responsible for his acts. A royal official who secretly hired a substitute when he was sent on an errand was put to death and the substitute received the office (KHB 102). The law was the great safeguard and ruled that important statements must be made on oath (CH 9) in the presence of witnesses and if witnesses could not be produced the man was assumed to be a liar (CH 13). Even contracts to guard against falsehood were drawn up (KU 386).

The early Babylonians as well as the Sumerians were primarily a law-abiding people. The will of the gods was expressed in the law of the land, and the king was its guardian. The law was assumed to be righteous, because it was so bound up with the idea of the righteousness of the gods. And so it came about that the court

²⁰ Cf. Lutz, *op. cit.*, p. 2.

was usually the temple where lawsuits were tried and contracts were made (KU 56, etc.). And yet injustice was sometimes known in the very courts of law (AJSL 1912, 333), although whenever discovered it was punished (CH 5). The judge (*da-ia-nu*) rendered judgement according to royal law,²¹ but once the judgment was rendered it could not be changed (CH 5; KU 16) without incurring severe punishment. There were different grades of judges (RA 12, 192), but the chief distinction was between civil and temple judges. The former could not receive an affidavit,²² this was due to the religious character of the oath. Bribery was often attempted but it was always punished (JBAL 318). But in case a man was not satisfied with the decision rendered against him he had the right of appeal to the king (JBAL 318).

Although the settlement of a dispute may be made out of court, law-suits before legally constituted judges were the rule. There witnesses were always necessary (CH 122), an oath was taken (CH 103), and rewards and punishments directed (e.g., CH 161). Punishments were often exceedingly severe and out of proportion to the offence. Thus, death was the penalty for: perjury in a capital suit (CH 3); for false accusation of killing (CH 1); theft of things belonging to the temple or the palace of a king (CH 6); buying property of a man without witnesses or contracts, or receiving such property on deposit (CH 7); failure to pay fines for theft or to make restitution (CH 8); theft and sale of stolen goods (CH 9); false accusation of stealing (CH 11); housebreaking (CH 21); brigandage (CH 22); theft (CH 25); kidnapping a free-born child (CH 14); negligence if ending in death (CH 229, 230); allowing a palace slave to escape or sheltering him (CH 15, 16); detaining an escaped slave (CH 19); causing a barber to mark a slave wrongfully (CH 227); procuring a substitute, in the case of a soldier (CH 26); fraud on the part of a district governor (CH 33); oppression (CH 34); failure of a woman who sold wine to capture a criminal (CH 109); opening a wine house by a devotee (CH 110); accepting a low tariff by a wine woman (CH 108); infidelity and incest (CH 129, 130, 155, 157); remarrying on the part of a woman while her husband was absent (CH 133); repudiation of her husband by a disreputable

²¹ Lutz, *op. cit.*, 12.

²² Cuq, "Essai sur L'organisation judiciaire de la Chaldée," RA 7, 6 ff. .

woman (CH 143); inability to pay by a tenant farmer (CH 256); and falsely accusing a man of laying a spell upon another (CH 2).

Severe mutilation was legally inflicted. Thus, a boy's tongue was cut out who denied his parents (CH 192); a son's eye was put out who abandoned his foster parents (CH 193); a nurse who substituted a child for the one who died while in her care lost her breasts (CH 194); a son who struck his father lost his hand (CH 195); and a slave who struck a free-man's son lost his ear (CH 205).²³

The *lex talionis* was very common (CH 196, 197, etc.), especially for injuries inflicted unintentionally (CH 218, 219, etc.). It was appealed to chiefly as a preventative (AJSL 1912, 230). The ordeal by water was practiced (CH 132).

Early Babylonian justice has a commercial aspect in our judgment, e.g., a patrician had to pay three times as much in case of theft as a plebeian (CH 8), but the penalty for injuring a patrician was more than that for injuring a plebeian (CH 196, 209, etc.). Although the fact that a surgeon's fee was greater for a patrician than for a plebeian seems thoroughly modern (CH 215, etc.).

Much care was taken to fix and define ownership of property. Property rights were possessed by all classes of people and by women and children as well as by men. The law controlled buying and selling, renting and letting, redeeming and sharing, but a royal charter could dispense from various obligations.²⁴ A sharp distinction was made between real and personal property.

Trade and business were placed on a firm legal basis. Sales, purchases, endowments, commissions, loans, inheritance, wills, settlements, gifts, and all kinds of contracts were legal transactions usually made in the presence of witnesses and often accompanied by an oath (KU, *passim*; MOB). Business companies were legally formed, who commissioned agents and carried on foreign as well as domestic trade. Exact accounts were kept and profits were strictly shared and distributed,²⁵ and the power of attorney was recognized (CH 7). Orders were honored and legal receipts were given.²⁶ A debt was legally binding, the lender possessing the right of cancellation, except where the debt was due to storm, flood or drought, when there

²³ Cf. KU 458, 1050, 1051, 1049, etc.

²⁴ CH, 41-52, 114, 115; KU 503, 571; UBL 14; JBAL 275 ff.

²⁵ CH 100-107; Lutz, *op. cit.*, 10.

²⁶ CH 104; RA 10, 31-32; KU 114 ff.

was an automatic abatement.²⁷ Goods could be accepted in lieu of money or corn for debt (JBAL 51). Rates of sale and storage were often settled by law (CH 121), and neglect to make satisfaction in business matters was promptly punished (CH 53-56).

The bulk of labor in early Babylonia was done by slaves, although there were freemen, especially freed slaves, who were laborers. Slaves were acquired by gift or inheritance, by capture or by purchase.²⁸ They were treated as property (KU 12), sold (KU 1151), hired (KU 1171), loaned (KU 1110), acquired by inheritance or gift (KU 1092, 1095), and listed like other property (KU 1403). The wages of a slave were always paid to his master (JBAL 271). A female slave (*a-ma-at*) was acquired in the same way as a male slave and could be sold and exchanged and given or taken in marriage. She could become the wife of a freeman, in which case the children were free (KU 1087), and her marriage was a legal one (KU 139).

A freeman was responsible for the support of his slave (KU 12). A slave could be adopted as a son, the ceremony being a religious one with an elaborate ritual (KU 30). The names of the real parents of a slave are never given (KU, *passim*). Slaves were often freed, when they assume all the rights of a freeman (KU 26). The freeing of a slave was a religious ceremony. One word translated "to free," *u-da-am-mi-ku-ši-ma*, means purified (KU 30); another expression is *pu-zu ú-li-il*, "cleanse his forehead" (KU 25).²⁹ A captive slave if brought home is freed from his slavery (CH 280). A freed slave was obliged to support his father during his lifetime (KU 25), but after that the children of the master had no claim upon the former slave (KU 27); a freed female slave could enter a convent and be dedicated to a god (KU 1089, 1090).

If a freed slave repudiated his foster father he was punished as a freeman (KU 25), but if a slave repudiated his master his ear was cut off (CH 282). If a slave wife repudiated her husband's mother, the mother could brand her and sell her (KU 12).

The penalty imposed upon a slave for injuring a freeman was severe, in one instance, his ear being cut off (CH 205), but still

²⁷ KU 83, 750; CH 48.

²⁸ RA 11, 80; KU III, pp. 15 ff.; JBAL *passim*; Lutz, *op. cit.*, 11.

²⁹ For a discussion of *bûzu* or *pûzu*, see BE VI, 1, 29-30; cf. *pûtu*, Mercer, *Oath in Babylonian and Assyrian Literature*, Paris, 1912, 39-40.

more severe was the penalty imposed upon a man who abducted a slave (KHB 166).

The lot of the slave was hard, but, as we have seen, he had certain well-defined rights, and he could engage in business by agreeing to pay a fair percentage of his profit to his master.³⁰

3. *International Virtues and Vices*

Between Babylonian and surrounding countries there was a good deal of peaceful intercourse. It was the boast of Kudur-Marduk of Elam that he had never done evil (*mi-im-ma*) to Larsa and to Emut-bal but did what pleased Šamaš (RA 11, 93). It was the desire of all Babylonian kings to carry on peaceful trade and commerce with foreign peoples for they desired nothing more than an opportunity to develop their material resources. On the other hand, warlike relations between nations were the normal state of affairs. Even Hammurapi who was a lover of the peaceful arts was often involved in war, especially with his famous contemporary, Rim-Sin of Ur, and each king appealed to his gods for aid against his opponent (e.g., JAOS 32, 29).

Levies were made especially upon laborers to carry on foreign wars, and the punishment was death for a person to harbor a slacker (CH 16). These wars were the source of much plunder, especially of foreigners who were sold as slaves, and large sums of money were paid by the opposing sides for the redemption of important prisoners (CH 32).

Resident aliens, however, were usually treated with consideration (CH 40) and could become citizens, being under no disabilities (JBAL 113).

4. *Transcendental Virtues and Vices*

In early Babylonia men believed in the existence of numerous gods (JAOS 32, 26), some more powerful than others, some good and some bad. The great gods were considered, as a rule, favorable to man, but the Igigi were most hostile.³¹ The king was the protégé of the gods, being defended by them;³² and from them, the source of all justice (e.g., PSBA 34, 77 ff.), he derived his authority. The

³⁰ Schaeffer, *The Social Legislation of the Primitive Semites*, New Haven, 1915, p. 99.

³¹ RT 23, 19.

³² UBL 31.

gods not only created man (Ra 124), but they were the source of all stability. Their mouths are pure and cannot "be altered."³³ The gods are the real judges (e.g., KB III, 152) kings and human judges being their representatives. The greatest of all the divine judges was Šamaš, the establisher of right and justice (Babyl. 3, 25), the judge of heaven and earth, and with him was associated Adad.³⁴

The gods were very anthropomorphically conceived, and were created as well as human beings, they had their jealousies and other limitations and were subject to decay and death.

Faith in the gods was universal, and men continually appealed to them (e.g., RA 10, 107; 12, 192, l. 5). There is considerable evidence that the individual Babylonian appealed directly to his god or goddess. Such expressions as "thou from whom cometh the life of all people" (JAOS 32, 28) are not to be taken as evidence of monotheism, but only as examples of the confidence which individuals had in the particular deity to whom they were for the time being directing their supplications. Very often in just such expressions, the suppliant shows his consciousness of the existence of other gods, e.g., one prays: "O Sin, as the first-born of Bel, no equal hast thou" (JAOS 32, 30). Nor is the expression, "who^s can comprehend the ways of god" (Babyl. 3, 21), to be taken, with Langdon, as monotheistic. The most powerful or most popular god was often addressed as if he were "god" without implying thereby the non-existence of other deities.

The gods were not only supplicated, they were also adored and praised as the source of all help, comfort, compassion and strength (Babyl. 3, 21 ff.).

There was a very close and intimate relation existing between king and gods. In most ancient times, it was believed that the gods really reigned as kings on earth, and so, in later times, they were often addressed as "king" (e.g., RA 9, 123-124). Then the time came when the king was considered the very offspring of the gods, but by the first Babylonian dynasty such a belief was considered fictitious, the king being the servant of the gods. Hammurapi believed that he was called by the gods to enlighten the land and to further the welfare of his people, to prevent the strong from oppressing the weak, to destroy the wicked and the evil, and to cause

³³ UBL 31.

³⁴ CH, Epilogue; RA 12, 192, l. 9 and n. 2.

justice to prevail in the land (CH, Prologue). He was the especial protégé of Šamaš who endowed him with justice and to whom he was obedient (CH, Epilogue and Prologue). He, however, was pious and suppliant to all the great gods, being their faithful servant and worshipper, and to whom he ascribed all his might (CH, Prologue and Epilogue).³⁵

In return for divine favors the Babylonian kings assumed a supreme interest in the temple and its worship. Hammurapi brought abundance to Egissirgal and made prosperous the shrines of Malkat (CH, Prologue). Sometimes the temples were called upon to ransom a man who had been taken captive, and sometimes the king forced loans from the temple (e.g., JBAL 216), but the latter was considered wrong, and the former was done only because of the great wealth possessed by the temples, in itself a proof of their popularity. The house of the god was the home of justice and the place of prayer of sacrifice and of praise. Any violation of the temple's rights was looked upon with displeasure, and theft therefrom was punished with death (CH 6). This was, however, the punishment for all burglary.

As the gods were the source of all justice so in their name were all oaths taken and maledictions uttered. The sinner was in constant dread of the gods who hated sin and punished wrong.

5. *Personal Virtues and Vices*

Each Babylonian had a personal protective deity (e.g., RA 10, 149) and called himself "the son of his god" (Babyl. 3, 25). The bulk of our extant material of the early Babylonian period does not cast much light upon the status of the individual. Yet there is sufficient to show that the early Babylonian had developed a very keen sense of individual right, and the business contracts of that period show how independently each man was forced by competition to transact his business in the best possible manner. The many letters also allow us to get a peep at the etiquette of social relationships which had at that early period become common. In these letters, there come out the same human traits of selfishness, flattery, jealousy, supplication and trust which we would meet in similar collections of modern letters.³⁶

³⁵ Cf. KB III, 131 ff.; UBL 31.

³⁶ See U, *passim*.

III. ESTIMATION OF EARLY BABYLONIAN MORALS

1. *Moral Ideals*

In attempting to estimate early Babylonian morals, the moral determinants of the age must be kept clearly in mind. They are: heredity, environment, social tradition, and personal initiative. A given action must be commended or condemned in the light of circumstances and customs. Further, the same word, used at different periods may have varying contents, in accordance with the change in circumstances and customs. The word "justice" in English, for example, has not always had the same content. There was a time when it was used in connection with the custom of slavery, at the present time it cannot be so used. The fundamental moral ideal of early Babylonia, whether in family, social, transcendental, international or personal life was "justice." But in order to estimate early Babylonian morals we must know what the content of *mīšaru* (justice) was. The word itself is a cognate of the Hebrew *ישׁר* which means "to be straight" — a meaning sufficiently definite to prove the appropriateness of the term. But its content is the all-important matter, for such expressions as, "I establish law and justice (CH, Prologue), "Create for me justice" (PSBA 34, 155, l. 21), cannot define the content of justice. The same is true of the word NIG-SI-DI (*mīšaru*) righteousness, from SI-DI (*kānu* = right), in such expressions as, "Year in which Hammurapi established righteousness,"³⁷ "Hammurapi king of righteousness."³⁸ The source of righteousness and justice was the law of the king (*ši-im-da-at šarrim*),³⁹ which was the law of the gods, and was manifested in the laws and customs of the time.

Family law and custom in early Babylonia sanctioned polygamy, concubinage, and slavery, although the foundation of the normal family consisted of one man and one wife. Obedience, respect and love were the elements of family life, and yet custom sanctioned the right of the father to sell his children. Divorce was considered an imperfection, although it could be brought about by simple repudia-

³⁷ King, *Letters and Inscriptions of Hammurapi*, London, 1900, Vol. III, p. 229, n. 44.

³⁸ King, *Chronicles Concerning Early Babylonian Kings*, London, 1907, Vol. II, p. 101, l. 22; cf. *id.*, p. 96, l. 2.

³⁹ E.g., CT VIII, 27a, l. 18.

tion. The wife possessed a certain amount of personal liberty, yet the husband's rights were far greater, and the punishment inflicted upon wives was much more severe than that inflicted upon husbands for the same cause. Punishments were excessively cruel in all family relationships.⁴⁰

In social matters justice and righteousness were the controlling principles, but while individual consciousness and freedom were highly developed yet the caste system was the source of much inequality. For example, a poor man was not taxed as much as a rich man for the same offence, yet if the poor man could not pay a very severe punishment, usually death, was inflicted, while it was taken for granted that a rich man could always pay. Again, a rich man was fined less for an assault upon a poor man than upon a rich one. Slavery, with all its cruelties, was the rule, and disproportionate punishment with the *lex talionis*⁴¹ was common. The ideal was justice, but much unfairness, according to modern conceptions, prevailed. A carrier who misappropriated goods had to pay five-fold what was entrusted to him (CH 112); and an agent who had been unsuccessful was compelled to return double what he had received from the merchant (CH 101).

The international moral ideal was peace.⁴² In spite of that, however, wars with all their cruelties were common, although we have no evidence to show that the early Babylonians were particularly cruel in war.

In transcendental affairs, the conception of the gods as the source of all right and justice is the moral ideal. Anthropomorphism describes the theology of the early Babylonians, and polytheism was taken for granted, but what we consider defects in such a system was not obvious to men of Hammurapi's time. It seemed rather an advantage to have more gods than one to whom to appeal. Justice was demanded and if one god could not or would not give it an appeal could be made to another (e.g., U 68). The early Babylonian was not particular about metaphysical distinctions; he probably never thought about them. But he did believe that the particular god to whom he prayed would give him a clear understanding

⁴⁰ See above; also CH 2, 195, 194; cf. RA 11, 4.

⁴¹ See above; also CH 226, 229, 218, 209, 210, 230, 231, 116.

⁴² King, *Letters and Inscriptions of Hammurabi*, III, p. 206; cf. CH, Epilogue.

(*ú-zu-un igi-gál-im*), and vouchsafe him righteousness in whatsoever he did, even in prayer itself (RA 11, 93; 12, 192, l. 12). Of course, there was a great deal of magic and superstition, and the putting of a spell (*kišpu*) upon another was considered a very great offence (CH 2). Purity and spotlessness were often merely ceremonial (Babyl. 3, 6), but truth (*kittu*) can always have but one content. Truth cannot depend upon circumstances or customs; a thing is so or it is not so. The desire for truth in early Babylonia was a real and constant moral sense.

2. Moral Evil

"Evil" (*limnu*) may be either moral or ceremonial, but its contrast so often with "justice" and "righteousness" in the Code of Hammurapi⁴³ shows that it was not always understood in a ceremonial way. Evil was always disparaged and punished severely.

In family matters adultery and incest were branded as great crimes, but polygamy, concubinage, and slavery were tolerated; in social life injustice was the great moral evil, though slavery, inequality between rich and poor, excessive cruelty and unfair punishments were common; in transcendental affairs the moral evil surpassing all others was impiety, although an imperfect conception of divinity was universal; and in international life the moral evil was war. The individual had a deep consciousness of sin, but a clear distinction was not made between moral and ceremonial wrong.

3. Free Will

In the hands of the gods lay the destiny of mankind. Bel was the determiner of the destiny of the land (CH, prologue); Enlil was the goddess of fates (PSBA, 34, 156, l. 34); the gods determined the death of man (MVAG 1902, 9); and they determined the destinies of all mankind (RT 23, 18 ff.). It was the gods who brought sin, guilt and evil upon man after he had done wrong (CH, Epilogue). Yet along with the idea of predestination went that of free will which each early Babylonian exercised whenever he made an agreement or contract. The matter as a problem never presented itself to his mind, any more than did the problem of the origin of evil,

⁴³ Cf. Prologue and Epilogue.

although sin as everything else was believed generally to come from the gods.

4. *Moral Sanction*

Moral sanctions may be either external or internal. They may refer to rewards or punishments imposed from without, or to consequences of conduct which arise spontaneously from within. The early Babylonians' respect for law is the nearest approach we find to an internal moral sanction in their religion. They took real pleasure in obeying the will of the gods. It must not, however, be forgotten that joy and gladness were considered contingent upon right doing, and there was a real satisfaction felt in the attainment of the heart, and in walking each day with head raised in joy and gladness of heart.⁴⁴ Further, the realm of motive and intention was a reality to the early Babylonian, and much satisfaction was derived from a consciousness of not having intended an evil which was inadvertently done,⁴⁵ while an intended evil though never accomplished was severely punished (CH 1).

External moral sanctions were very powerful. Fear of the gods and fellow-man often defeated an intention to do wrong. Length of days, a large family, a good reign for a king, and especially an everlasting memory were very potent as moral sanctions.⁴⁶ Future life, however, in another world had no attraction for the early Babylonian. *Arallû* was a "place of desolation," and though to die was "to be called to one's god" (KU 483), or to go to one's fate (CH 162), yet one was recommended to be joyful in this world for there is no future worth while (MVAG 1902, 9).

5. *Conclusion*

In summing up, let it be noted that the early Babylonians as a nation were in many respects far below what we consider a normal moral plane. In the family, polygamy, concubinage, and slavery were permitted; and the father's rights were excessive; in society slavery was a recognized institution, punishments were too severe and often quite out of proportion to the crime, inequality was com-

⁴⁴ King, *Letters and Inscriptions of Hammurabi*, III, 206.

⁴⁵ See CH 206, 227, 250, 251.

⁴⁶ CH, Epilogue; KB III, 148, 12 f.; Lutz, *op cit.*, 27; KB III, 148, 14 f.; KB III, 150, 4 ff.; KU 24; UBL 32.

mon, and the *lex talionis* was practiced; their conception of god was imperfect; and the individual had not yet come into his own. On the other hand, we must bear in mind the determinants of the age, e.g., heredity, environment and social tradition. In doing so we shall find that the defects of the early Babylonians were the general defects of that early age.

The early Babylonians had high moral ideals, and their practices very nearly approximated them. In family, social, international, transcendental, and personal affairs the great ideal was justice and truth. They were moved to these ideals not alone by love of ease and desire for reward but a real longing for mental satisfaction. Their idea of moral sin was a very discriminating one. It consisted in a transgression of the law of the gods. In family life it consisted in injustice and immorality; in social and political life, in cruelty; in transcendental life in impiety; and in personal life in a transgression of law. Moral evil, thus, consisted in a transgression of the will of the gods.

The individual early Babylonian must be judged in the light of his own day. He must be commended or condemned according as he obeyed or disobeyed the laws of his time. We have, accordingly, found that he was a just, truthful, and pious individual, that he was conscious of a certain amount of freedom of action, that he was accustomed to make fine moral distinctions; and that he was in particular an industrious man.

Finally, it may be said that the early Babylonians were characterized by their love of justice, and, judged in the light of the custom and laws of antiquity, were a highly moral people, but, judged in the light of the twentieth century, were very much less developed morally than we are supposed to be. But the individual early Babylonian, judged as he must be by the moral standards of his own time, is found to have been a just, truthful, law-abiding, and pious person.

ZERUBBABEL AND MELCHIZEDEK

By PAUL HAUPT, Johns Hopkins University

TWENTY-FOUR years ago (July, 1894) I pointed out (JHUC, No. 114, p. 110) ¹ that both Pss. 110 and 132 referred to Zerubbabel, the grandson of the last legitimate king of Judah who had been carried captive to Babylon in 597 B.C. Jewish patriots did not regard Jehoiachin's uncle Zedekiah, who was raised to the throne of Judah by Nebuchadnezzar, as the rightful ruler (*Mic.* 28, n. 31). Jeremiah, however, exhorted them to abstain from any act of rebellion. The idea that Ps. 110 is an acrostic poem referring to the Maccabee Simon (142-135) is untenable: ² as soon as the lines are properly arranged, the alleged acrostic *Šim'ôn* vanishes.

Ps. 132 is longer than the other *Širê ham-Ma'lôl* or *Songs of the Return* (ZAT 34, 145; JBL 33, 163). It also exhibits a different meter, viz. 3 + 3 beats, not 3 + 2 (JAOS 27, 109; JBL 33, 169). Ps. 110, on the other hand, consists of two pentastichs with 3 + 2 beats (*Mic.* 22, n. 1). I believe that Ps. 110 was originally one of the Songs of the Return, but owing to its revolutionary character it was replaced by Ps. 132.

Similarly the tetrastich Hag. 2, 20-23, which stood originally at the end of c. 1, was suppressed and subsequently appended at the end of the Book.³ These lines, which according to the date at the end of c. 1, were inspired on Sept. 21, 520,⁴ may be rendered as follows:

- 21 ^aI am shaking ^βheaven and ^γearth,
 22 I shall upset the great kingdom's ^δthrone,
 I shall destroy the great nation's ^δstrength,
 I shall wreck their chariots and riders,

^a 21 say to the governor of Judah, Zerubbabel, as follows ^β the ^γ the

^δ 22 great kingdom's

¹ For the abbreviations see this JOURNAL, vol. 1, p. 88, n. 1; cf. JBL 36, 75.

² Contrast BUDDÉ, *Die schönsten Psalmen* (Leipzig, 1915) p. 118.

³ Cf. JBL 32, 113, below, and the abstract of my paper on suppressed passages in OT on p. 75 of the *Actes* of the Sixteenth Congress of Orientalists (Athens, 1912).

⁴ For this date cf. JBL 33, 161.

^δ Cf. GK § 124, e; WF 221, vii.

Subdued ⁶ will be horsemen and footmen,⁷
 by their brethren's sword will they fall;
 23 But I 'll take thee, my servant Zerubbabel⁸
 and place thee, as a ring, on my right hand.⁸ ⁹

⁶ the son of Shealtiel ⁷ 23 says JHVH ⁸ for I have chosen thee, says JHVH Sabaoth

The Hebrew text of this tetrastich should be read as follows:

והפכתי כפא ממלכות	אני-מרעיש ⁶ שמים וי ארץ	22. 21
והאכרתי מרכבה ורכביה	והשמרתי כל-חוק ⁸ הגוים	
איש-בחרב אחיהו יפל:	וירדו סוסים ורגלים	
ולשמתך כחותם בימיני:	ואפקח זרבבל ⁸ עבדי	23

ממלכות ²² ⁶	אתה ⁷	אתה ⁸	אמר אל-זרבבל פחת יהודה לאמר	21 ^α
אתה ²² ⁶	כי כך בחרתי נאם יהוה צבאות	נאם יהוה ⁷	בן-שאלתיאל	23 ^ε

Also Pss. 20.⁹ 21¹⁰ refer to Zerubbabel, and I suggested in OLZ 18, 71 (March, 1915) that Gen. 14 was written by a Babylonian Jew for the inspiration of the followers of Zerubbabel at the beginning of the year 519 B.C. Just as the object of the Babylonian legends in the Book of Daniel was to strengthen the resistance of the Macca-bees against Antiochus Epiphanes, so the story in Gen. 14 aims to encourage the Jews in their rebellion against Darius Hystaspis. Abraham with his 318 servants conquered King Chedorlaomer of Elam and his allies; in the same way Zerubbabel will be successful in his fight against the great king of Persia. Elam is mentioned instead of Persia, because there was no king of Persia until Cyrus the Great, who was originally king of the Elamite district of *Anšan*, welded the Persian tribes into a single nation.

While Gen. 14 was written at the beginning of 519, the episode of Melchizedek in vv. 18–20 represents a subsequent insertion, added at a time when the high priest had become the head of the Jewish nation after the suppression of Zerubbabel's rebellion in the spring

⁶ For the reading *jordā* see AJSL 32, 70.

⁷ Cf. WF 217, iii; 217, l. 1; JBL 35, 288.

⁸ Cf. BL 109, n. 6. The omission of *bimīnī* before *kt-bēkā* is due to haplography; cf. below, nn. 22. 23.

⁹ See my translation of this poem in my paper *Assyr. d a g ā l u in OT* (JBL 37).

¹⁰ See my explanation of this Psalm in my paper *The Coronation of Zerubbabel* (JBL 37).

of 519. There was no theocratic high priest of Judah before the reign of Darius Hystaspis. The object of the Melchizedek-episode is to emphasize the importance of the payment of the tithe to the priesthood. Under the reign of David and his successors the tithe had been paid to the king;¹¹ the Temple was a part of the royal acropolis and was maintained by the king. The Davidic rulers were their own high priests;¹² they had a chief priest, but he was a court official. Similarly Alexander Jannæus (103-76) was not only king of the Jews, but also high priest. His father, the great Maccabean conqueror John Hyrcanus (135-104) called himself *hak-kôhên hag-gadôl* (GJV⁴ 1, 269. 280). The references to the high priest Joshua in the Books of Haggai (1, 1. 12. 14; 2, 2. 4) and Zechariah (JBL 32, 114) represent subsequent additions. Deuteronomistic passages like Ex. 19, 6, *Ye shall be unto me a kingdom of priests and a holy nation*, or 1 S 8, in which the institution of a monarchy is discounted, were added after the suppression of Zerubbabel's rebellion. Therefore the priestly functions exercised by the pre-Exilic kings are not alluded to in that chapter.

EDUARD MEYER stated in his monograph on the papyri of Elephantine¹³ that post-Exilic Judaism was a creation of the Persian empire. The priestly party in Jerusalem was satisfied to continue as a religious sect under Persian sovereignty; the followers of Zerubbabel, on the other hand, planned rebellion against Darius Hystaspis to restore the Davidic dynasty; they regarded Zerubbabel, the grandson of the last lawful ruler of Judah, as the legitimate king. This is the meaning of *malkî-çädq* in Ps. 110, which represents perhaps an archaic legal formula like the phrase *by the grace of God* in the ceremonial statement of the title of a modern (or unmodern) sovereign (cf. EB¹¹ 15, 806). In Syriac you say *zâdëqâ lêh malkûtâ*, the kingdom was his by right, he was the rightful king. In Lev. 19, 36 we find *môznê çädq*, lawful scales, just balances, and in Ps. 4 we have *zibhû zibhê çädq*, sacrifice lawful sacrifices (AJSL 26, 21, n. 31) *i.e.* not the sacrifices demanded by Antiochus Epiphanes, which were contrary to the Jewish Law (1 Mac. 1, 43. 47). GROTIUS (1644) did

¹¹ Cf. EB 3845, last line; 4907, l. 2; 5104, l. 2.

¹² The ancient Roman kings were also the religious head of the community; cf. EB¹¹ 23, 617^a; 15, 806^a, below.

¹³ *Der Papyrusfund von Elephantine* (Leipzig, 1912) pp. 1. 96.

not regard Melchizedek in Ps. 110 as a proper name; he rendered: *secundam meam constitutionem, o Rex mi juste*. GRÆTZ, who referred Ps. 110 to Zerubbabel's contemporary, the high priest Joshua, interpreted *malkî-šādq* as *my king for salvation* (*mein König für das Heil*). Heb. *malkî-šādq* may mean also *triumphant, victorious king*; if JHVH gives him victory, his cause must be right and just (AJSL 26, 21, n. 12).

The title *malkî-šādq*, rightful king, was afterwards interpreted as a proper name, and this misinterpretation may have been intentional. In 1 Chr. 25, 4 two lines of a Maccabean psalm have been misinterpreted as ten proper names (ZAT 34, 142) and in Jud. 4 we find Lapidoth as the husband of Deborah, and Barak as her ally, but *lappîdôt* means *torches*, and *barâq* signifies *lightning*; so the two personages Lapidoth and Barak seem to be derived from a misinterpretation of the phrase *iššôt lappîdôt barâq*, fires of torches of lightning, or fiery flashes of lightning, which may have been used in the poetic description of the great thunderstorm, when the elements were in league with the Israelites or, as the ancient poet says, *the stars fought against Sisera*. The common nouns *lappîdôt*, torches, and *barâq*, lightning, were interpreted as proper names, and *iššôt* or *eššôt*, fires, before *lappîdôt* was misread *ešt*, wife. The author of this oldest monument of Hebrew literature (c. 1250 B.C.) was not Deborah, the wife of Lapidoth, but a man of the Issacharite city of Deborath, the modern *Debûrîyah* at the foot of Mount Tabor. There was no prophetess Deborah, the wife of Lapidoth, nor was there a Naphtalite captain Barak (JAOS 34, 418).

In the same way Melchizedek, the priest-king of Salem, is a purely fictitious person. Therefore he is *without father, without mother, without genealogy*. It is, of course, impossible to combine this phrase in the Epistle to the Hebrews (7, 3) with the statement of King Abdikheba¹⁴ of Jerusalem in the Amarna letters (KNUDTZON, p. 1333, l. 5) that he was not appointed by his father or his mother, but by Pharaoh (*the arm of the mighty king put me into the house of my father*).¹⁵ BUHL says (RE³ 12, 550, l. 23) that for the author of Gen.

¹⁴ *Khepa* is the name of a Hittite deity.

¹⁵ The Assyrian text is: *Amur anâku lâ abt'a u-lâ ûml'a šaknânt ina ašri annî, zurux šarri dannî ušeribânnt ana bît abt'a*. For the feminine form *šaknâni*, owing to the preceding *ummu*, mother, cf. Tig. 1, 20-27 where the feminine forms of the verbs

14 Melchizedek is no simple historical person, but the impersonation of an idea. CHEYNE remarks (EB 3014) that Melchizedek is introduced for some special object.

In my note on Ps. 110, published in July, 1894, I showed that we must read instead of the meaningless *bě-hádrê qódš*¹⁶ *me-rahm mišhár lě-ká tal ialdūtēka*, which is supposed to mean *in the beauty of holiness, from the womb of the morning, thou hast the dew of thy youth*: *bě-hárārê qodš mērahēm mešāhher lāk tál ialdūtēka*, on mountains holy loves and seeks thee the dew of thy youth, *i.e.* thy martial young men, as numerous as the drops of dew,¹⁷ are loyally attached to thee and eager to follow thee. The verb *šihher* is an Assyrian loanword, derived from the Assyr. *saxāru*, to turn, surround, seek; it has no connection with *šahr*, morning.¹⁸ It is synonymous with Heb. *darāš*, *ahāb*, *iuuā*. The hemistichs *iadīn bag-gôim* (cf. *Mic.* 51, 28) and *mēle'ā* (or rather *millē'āh*) *gēuīōt* must be transposed. After the first hemistich of the second pentastich the hemistich *kis'ākā lě-ōlām*, thy throne is for ever, has been suppressed by subsequent priestly redactors.¹⁹ For *lě-ōlām* after *uē-attā kôhén* in the next line we must restore *lîmînî*, at my right, as in Zech. 6, 13 (JBL 32, 113). This *lě-ōlām* is due to the *lě-ōlām* at the end of the preceding line; it may be a remnant of the original text, and *'al-iēmînēkā* in gloss *ι* may be a corruption of the original reading *lîmînî* in l. 2 of the second pentastich. We read in Zech. 6, 13:

Behold a man named Scion,
royal majesty will he assume,
And sit and rule on his throne,
he will also be priest at my right.

It would seem, however, that *kôhén*, priest, both in Zech. 6, 13 and in Ps. 110, 4 has been substituted for *mālk*, king, or *môšél*, ruler, just as in Zechariah's prediction of the coronation of Zerubbabel the name of the Davidic scion has been replaced by the name of the

are due to the fact that the last of the deities enumerated in the preceding paragraph is the goddess *Ištar*. In KB 3, 2, p. 106, l. 49, cited in AG² 266, below, *Anunītu* is mentioned after *Šamaš*.

¹⁶ For the reading *qódš* see JAOS 37, 321, n. 5.

¹⁷ Cf. 2 S 17, 12 and *Mic.* 45, n. 10.

¹⁸ See WF 218; for Heb. *š* = Assyr. *s* cf. AJSL 33, 46; JBL 36, 144, l. 13.

¹⁹ See OLZ 12, 67, n. 1 and above, n. 3.

high priest Joshua (JBL 32, 113). In Zech. 6, 13 we may read *mülk*, king, instead of *kôhên*, priest, and in Ps. 110, 4: *timšöl*, thou wilt rule (JBL 36, 140).

The *head over the vast earth* is the Persian king, corresponding to the title in the Achæmenian inscriptions *šar qaqqari rabiti*. In Zech. 4, 14; 6, 5 he is called *the lord of the whole earth* (JBL 32, 112). In the last line, *He will drink from the brook by the wayside, therefore he will win*, lit. *he will lift up his head*, the Davidic prince is contrasted with the Persian kings who insisted, even during their campaigns, on drinking boiled Choaspes water which was carried along in silver jars (Herod. 1, 188).

The second line of the poem, *Until I make thine enemies thy footstool*, recalls the sculptures on the Rock of Behistûn, representing Darius Hystaspis placing his foot on the body of a prostrate enemy, viz. Gaumâta (Pseudo-Smerdis). JHVH will make the enemies Zerubbabel's footstool; He will fight for the Davidic scion, while Zerubbabel sits at His right hand.²⁰

This patriotic poem may be translated as follows:

1 "To my lord has JHVH said:	"Sit at my right,
Until I make thy foes	stools [§] for thy feet."
2 From Zion He ^β 'll send γ thy power,	thou 'lt conquer in battle; ^δ
3 All greet with joy ε thy warfare	on mountains holy;
Attached to thee and devoted	is the dew of thy youth. ¹⁷
4 He ^ζ swore and will not revoke:	"Thy throne is for ever;
So thou shalt η rule θ at my right	as the rightful king." —
5 My lord ε will chastise a great nation	and strike κ a great king, ²¹
6 Ay, strike the head of the vast earth,	filling it with corpses.
7 He 'll drink from the brook by the wayside,	therefore he 'll win.

^α 1 Davidic. Psalm	^β 2 JHVH	^γ the sceptre of	^δ thy foes
^ε 3 on the day of	^ζ 4 JHVH	^η be priest	^θ for ever
^ι 5 at Thy right hand		^κ on the day of his wrath	

²⁰ See n. 15 to my explanation of the Maccabean amulet (Ps. 91) in the *Florilegium Melchior de Vogüé* (Paris, 1909) p. 280.

²¹ See AJSL 23, 232; WF 216; cf. above, n. 5.

The Hebrew text should be read as follows:

שב לימיני	נאם יהוה לאדני ¹
הם לרגליך:	עוראשר ²² אשית איבך
ורגה בקרב ⁸ :	עוך ישלח ⁷ מציון ²
בהררי קדש	עפוך נדבת ⁹ לחילך ³
כל ילדתך:	מרחם משחר לך
כסאך לעולם	נשבע ⁵ ולא ינחם ⁴
על־דברתי מלכ־צדק:	ואתה ⁷ תמשל לימיני ⁸
[] ומחך מלכים: { }	אדני ⁵ { ידיו בנוים }
[] ומלאה נחיות:	ימחך־ראש על־ארץ רבה ²³
על־כן ירימ־ראש:	מנחל בדרך ישתה ⁷

1 ^a לדור מזמור	2 ^b מפה	3 ^c ביום	4 ^d יהוה	5 ^e על ימנך	6 ^f לעולם	7 ^g פהן	8 ^h ביום אפן
---------------------------	--------------------	---------------------	---------------------	------------------------	----------------------	--------------------	-------------------------

This may be translated into Assyrian as follows:²⁴

1 ^a <i>Iāma ana-bēl'i'a iqbī-mā</i>	<i>ina-imnita šib-ma</i>
<i>Adī-ša nīmēd²⁵ šēpāka</i>	<i>ābēka ašākanu</i>
2 ^b <i>Ištu Č'i'āni^β ellatka^γ umā'ar-ma</i>	<i>ina-qarābi^δ tullallāt²⁶</i>
3 ^c <i>Ummānka ina-šadē quddušūti</i>	<i>*tamxarka iše'i</i>
<i>Kāša baxulātika gabšāti²⁷</i>	<i>irāmūka-ma isāxarāka.</i>
4 ^d <i>Šimū-ma²⁸ qti-pīšu ul-uttakar:</i>	<i>Kussāka ana-dāriš</i>
<i>U-atta šarru kēnu</i>	<i>*ina-imnī'a^θ tullāšpar. —</i>
5 ^e <i>Bēlī' ina-nēšē²⁹ idān-ma</i>	<i>šarra-rabā^κ imāxaq</i>
6 ^f <i>Rēš-qaqqari rabtī imāxaq-ma</i>	<i>pagrē umallāši</i>
7 ^g <i>Ina-naqli ša-xarrāni išātī-ma</i>	<i>rēssu ināšā</i>

1 ^a <i>ša Damīdi. zamaru</i>	2 ^b <i>šibit</i>	3 ^c <i>Iāma</i>	4 ^d <i>ābēka</i>	5 ^e <i>ina ūm</i>
6 ^f <i>Iāma</i>	7 ^g <i>ana dāriš</i>	8 ^h <i>ramku³⁰</i>	9 ⁱ <i>ina imnika</i>	10 ^j <i>ina ūm uggatišu</i>

²² The omission of *āšār* before *ašī* is due to haplography.

²³ The omission of the initial *i* in the Received Text may be due to haplography; the preceding *mēlakīm* may have been written *mēlakti'* (cf. *Mic.* 69, ii; JBL 34, 81; AJSL 32, 74. ²⁴ Cf. JBL 31, 123.

²⁵ For *nīmēdu*, footstool, see JBL 29, 100, n. 39.

²⁶ *š* has *nīšallāt*.

²⁷ A literal translation of this hemistich would not be idiomatic Assyrian.

²⁸ *š imā*; cf. KAT² 495; ZDMG 63, 518, l. 37.

²⁹ For Assy. *nēšu*, people = *ināšu* see JBL 36, 76, n. 3.

³⁰ Or *šangā*. *š* has *kūmrā* in the present passage. For *ramku* = Syr. *kūmrā* (Heb. *kēmārtm*) see AJSL 32, 64. A similar transposition is *rēkamīm*, heaps (Is. 40, 4 miswritten *rēkastm*) = Arab. *rakām*, Assy. *karmu*, Ethiop. *kemr* (ZA 7, 217, n. 4). DUHM renders in Is. 40, 4 *Berghausen*; also FÜRST explained this word as *Haufen*. For *ruksē-š* (Ps. 31, 21), see ZAT 35, 107, n. 1. For *s* instead of *m* cf. Ezr. 4, 13.

THE ANAPHORA OF ST. DIOSCORUS IN THE ETHIOPIC LITURGY ¹

Translated by SAMUEL A. B. MERCER, Western Theological Seminary, Chicago

<THE INTRODUCTION>

THE ANAPHORA OF SAINT DIOSCORUS WHICH HE USED. May his prayer and his benediction be with us, in the Holy Spirit, for ever and ever. Amen. Before the world was, and for ever, is God in his kingdom, God in his trinity, God in his deity. Before the dawn and morning, before day and night, before the angels were created, was God in his kingdom. Before the heavens were stretched out, and before the face of the dry land appeared, before the mountains arose, and before the herbs grew, was God in his kingdom. Before the sun, moon, and stars, before the setting of the luminaries, was God in his kingdom. Before man was created, before evil was evolved, and before the beasts were made, was God in his kingdom. Before serpents were in his kingdom, before he created Adam in his own image and likeness, and before his command was given, was God in his kingdom. Glory be to the Father, and to the Son, and to the Holy Ghost, now and ever and world without end. Amen.

<THE INTERCESSION>

The deacon shall say

For the sake of the blessed one.

The priest shall say

Let the heavens listen, and let the earth hear, and let its foundations quake. By the will of his Father he came down to Mary, and made his tabernacle in her pure virginity. God was born.

The deacon shall say

Ye who sit, stand up.

The priest shall say

He was placed in the cave; royal salutations were offered to him. Like other babes he wept; he craved food from his mother's breasts.

¹ Mercer, *MS. Eth.* 3, 194a-197b.

The deacon shall say

Look to the east.

The priest shall say

He came forth to public view; he grew up by degrees. At the age of thirty he was baptized in Jordan.

The deacon shall say

Let us give heed.

The priest shall say

As a man didst thou fast; in the desert he sojourned, by the devil he was tempted; by the might of his deity he drove the demons into darkness.

The deacon shall say

Respond.

The priest shall say

Holy, Holy, Holy, is God in his trinity. He is the king who manifested his humanity as a servant. He stretched forth his hands to the passion. He became in fashion as a man, that he might liberate man from the yoke of sin.

<THE INSTITUTION>

In the same night in which they betrayed him, he took bread in his hands, holy, pure, which are without stain, he looked up towards heaven, to thee his Father, he blessed and brake, and give it to his pure disciples and holy apostles, and he said to them, "Take, eat, this bread is my body which is broken for you for the remission of sons." Likewise, the cup after they had eaten, he mixed water and wine; giving thanks, he blessed and sanctified, and gave to his pure apostles and holy disciples, and he said to them: "Take, drink, this cup is my blood which is poured out for you for the remission of sins."

<THE INVOCATION>

Then the Jews apprehended and placed him at the bar of judgment, to whom archangels bow down with fear and trembling; they crucified him on the tree, and nailed him with nails and smote his head with a reed and pierced him with a spear; they gave him

vinegar to drink for his thirst, who had given Israel to drink from the four rocks, each one a fountain. He who cannot die, died; he died that he might abolish death; he died that he might give life to the dead, that he might give them hope by the word of a covenant. They took him down from the tree, and wrapped him in linen clothes, and buried him in a new tomb; on the third day he rose again from the dead; he went where his disciples were assembled, and showed himself to them in the temple of Zion, and in forty days he ascended into heaven, having commanded them, saying, "Await ye the promise of the Father"; and in fifty days he sent down upon them the Holy Ghost like fire, and they spoke in the language of all countries.

Likewise, send down this thy Holy Spirit upon this bread and upon this cup; make this bread thy holy body and this cup the communion of thy eloquent blood, even as thou didst say, "He that eateth my flesh and drinketh my blood shall be with me, and I will be with him."

The priest shall say

Grant that thy communion may be to all thy people for sanctification, and for cleansing from error, and for salvation, for ever and ever. Amen.

The prayer of the fraction

O Lamb, come, that we may see with our eyes, and handle with our hands, that we may praise him; be joined with this bread and with his blood that it may be poured out in this cup; but let him not be confused in our faith, so that when we eat this bread we shall eat his very body without blood and water and spirit, that is, one body; when we drink this cup let him be not confused, so that when we drink this blood it will be without body and spirit, for there is one body, and blood, and spirit, even as his divinity is associated with his humanity, for ever and ever.

The priest shall say (the prayer of) Epiphanius and Dioscorus

The priest shall say

The hosts of the angels of the Saviour of the world stand before the Saviour of the world and encompass the Saviour of the world,

even the body and the blood of the Saviour of the world. And let us come before the face of the Saviour of the world; in the faith of Christ we follow.

<THE INCLINATION>

The deacon shall say, Ye who stand, he bows himself, breathes and places his hand upon Epiphanius, saying

ASSYR. *TAMÊRTU* AND HEB. *TĒRÛMÂ*

By PAUL HAUPT, Johns Hopkins University

THERE are three different words *tamertu* in Assyrian, two of which are misinterpreted in HW. In addition to *tâmertu*, reservoir, from the stem *amar* = *ġamar* (ZDMG 63, 519, l. 35; AJSL 26, 23, n. 48; 28, 94, below; JHUC, No. 306, p. 22) we have *tâmertu*, neighborhood, which means originally *seeing-distance*, from *amâru*, to see (JBL 36, 251) and *tamêrtu*, gift, which is derived from *mâru* = *ma'âru*, to send, lit. *to dispatch*; cf. Heb. *mikhâr*, to hasten (JBL 19, 71, below; Kings, SBOT, 198, 50). *Send* was formerly used for *gift*, present: in an old ballad we find e.g. *Ye're bidden send your love a send, for he has sent you twa*. In the OT Assy. *tamêrtu* (for the *ê* see AG² § 44) appears in the transposed form *têrûmâ* = *têmôrâ* = Assy. *tamêrat*. For *têmûrâ* = *têmôrâ* cf. *manôh*, resting-place, fem. *mênûhâ* (GK § 27, n) and for Heb. *ô* = Assy. *ê* cf. Heb. *tôrâ* = Assy. *têrtu* = *tahrirtu*, haruspicy (JBL 36, 258). *Têrûmâ* is a late word which appears especially in Ezekiel and P; in Deut. 12, 6. 11. 17 it is due to later additions. It is not derived from *herîm*, to raise, levy; *herîm* in connection with sacrifices is a denominative Hif'il, just as *hôrâ*, to instruct, is derived from *tôrâ* = Assy. *têrtu*. We must remember that *minhâ* and *mattanâ*, gift, are used also for *tribute*, Assy. *mâdattu* = *maddattu* = *mandantu*; cf. Heb. *middâ*, Neh. 5, 4, and SFG 16, 4; see also HINCKS, *On the Khorsabad Inscriptions* (Dublin, 1850) p. 42. A derivation of Heb. *têrûmâ* from Assy. *râmu*, to love, is very improbable (KAT³ 596).

The ἀπαξ λεγόμενον *têšûrâ*, in the story of Saul trying to find his father's asses, is miswritten for *têmûrâ*; in the old script, used before the adoption of the square character, *š* and *m* were easily confounded (cf. *Genesis*, SBOT, 103, 49). This *têmûrâ* does not mean *Kaufgelegenheit* (KLOSTERMANN) but *exchange*, barter, equivalent, *compensation* (cf. Job 15, 31).

THE JUNKIN STELA

By SAMUEL A. B. MERCER, Western Theological Seminary, Chicago

MRS. FRANCIS T. A. JUNKIN of Chicago has in her possession a beautiful stela of Thutmose II, who was the son of Thutmose I, who reigned only about three years (1496-1493 B.C.), married his sister, the famous Hatshepsut, and died when he was about thirty years of age. The stela is of white sandstone, and measures 44.8 cm. \times 28.0 cm. \times 3.8 cm. It is rounded at the top, as the cut shows, and the background of the obverse is painted white. The pharaoh is represented in the act of sacrificing to Amon-Ra. His body is in red, and his garments in white, except his helmet, which is black. The figures and the characters are in relief. All indications mark the stela as genuine, and, so far as I know, it has never before been published. The following is a transliteration and translation of the inscription, which is of much interest, it being one of the very few inscriptions of the reign of Thutmose II:

Ni-sw̄t byty: Rā-āa-hpr-n; sa Rā: dḥwt̄y-ms nfr-hāu. Hnk ntr tpy āntyw wadw n ymn-rā nb nswt-tawy nb pt iri-f dy ānh dd waš snb awt-'ib-f my rā dt̄ sa ānh waš ḥa-f nb my rā dt̄, Thutmose II. The king presents fine, fresh myrrh to Amon-Rā, lord of Karnak, lord of heaven. May he give the gift of life, stability, enjoyment, health, and happiness, like Rā, for ever. Protection of life and enjoyment be behind him, the lord, like Rā, for ever!



THUTMOSE II SACRIFICING TO AMON-RĀ

(*Photograph by C. C. Keller*).

REVIEWS

Early Babylonian Letters from Larsa. By Henry Frederick Lutz, Ph.D. New Haven: Yale University Press, 1917, pp. xii + 41, pls. lvii.

This is the second volume of the *Yale Oriental Series, Babylonian Texts*. The chief value of the work is a number of excellently autographed texts, 152, of which 33 are translated and transliterated, it being the author's intention to give a translation and transliteration of them all in the future.

Perhaps the most interesting of all these letters is No. 15, transliterated and translated under sequence number XXVIII, and reproduced in photograph on plate LVI. It contains the name of Abraham in its full form in cuneiform, a full discussion of which is given on pages 5 ff. The form as found here is *A-ba-ra-ḫa-am*. Lutz seeks to show that the name is not Babylonian, as Ungnad and others would have it, but West Semitic, אַבְרָהָם; the Biblical writing of Abraham, אַבְרָהָם, being a conscious or unconscious variation of it. The letter in which this name occurs is interesting for a further reason, namely, for the use of the word *i-lam*, l. 9. Dr. Lutz translates it "protective genius," but says in a foot-note that the phrase is literally to be translated: "thou hast since acquired a god." He thinks the phrase is an idiomatic one whose meaning is not quite clear. In light of the reviewer's discussion of this and similar terms in his article, "Emperor-Worship in Babylonia" (JAOS 1917.2), *ilam*, here, means simply "lord," in the sense of husband, which makes the passage quite clear and agrees with the use of *ih-zu-ki* in l. 21.

The author is not always careful in translation, e.g., the ideogram for man, *m*, is not always represented as in IX 11; *ja* occurs sometimes for *ia*, XX 10; *ù* does not occur in the autographed text, XXX 4; and a whole line is omitted from No. 1, XXXI, namely, l. 8. The letter *b* has dropped out of the text on page 4, l. 5 from bottom.

Besides an Introduction, Dr. Lutz has furnished a "Name List," and a list of addressers and addressees in the letters. Many of the

letters throw interesting light upon family and social conditions of the time. Such, for example are Nos. 50, 149, 62, 63, 45, and 32. The work, on the whole, has been exceptionally well done, and we await with pleasure further studies from the same pen.

SAMUEL A. B. MERCER.

Cuneiform Documents in the Smith College Library. By Elihu Grant. Biblical and Kindred Studies, No. 1. Haverford, 1918, pp. 30.

Smith College has come into the possession of several hundred Babylonian tablets from various periods, early and late. Most of them are business documents. Professor Grant in this pamphlet has given facsimiles of seventeen of these tablets, some of which he transliterates, translates, and discusses. He purposes further publications in this series. There is nothing remarkable about the tablets which are here published, but the author has rendered valuable service to Assyriology in giving students material for further investigation. Smith 260 is an interesting case concerning the power of inheritance of a votary.

SAMUEL A. B. MERCER.

The Tomb of Nakht at Thebes. By Norman de Garis Davies. New York: The Metropolitan Museum of Art, 1917.

This sumptuous folio work is the first volume of a series, in memory of Robb de Peyster Tytus, devoted to the publication of Theban monuments. The series is edited by Albert M. Lythgoe, Curator of the Department of Egyptian Art in the Metropolitan Museum, who has written a preface. The volume consists of xxv + 79 pages with xxix plates and a key plan. Ten of the plates are magnificently colored by L. Crane, Norman deG. Davies, P.S. Unwin and Nina de Garis Davies. The Museum is to be congratulated upon the way in which the fullest mechanical resources of the time have been utilized in preparing this beautiful book. It will stand comparison with the finest products of European houses, and a copy should be procured by every complete Egyptian library. Only five hundred copies have been printed.

After a full table of contents and an introduction, the author begins the main body of his work, in which he describes the necropolis of Thebes and the tomb of Nakht. The tomb he dates in the end of the reign of Thutmose II or in the early part of the reign of Thutmose IV. In his discussion, Davies draws a distinction between the tomb as a sepulchre and as the home of the dead. This point should be clearly noted. One of the most interesting things about the paintings in the tomb of Nakht is the light they throw upon family life in Egypt. Quite often Nakht and his wife (his "sister") are represented as sitting in a posture of affection, and in other places they are represented with their children who lovingly cling to their parents. While there is no reasonable doubt, on the basis of what we know of Egyptian scenes, that the woman represented with Nakht is his wife, yet she is always called his sister (*šn-t*) and the boy is called "her son" (*sa-s*, pl. xv). It was a common practice for an Egyptian to marry his sister, though the term *šn-t* was probably also used in a general way to refer to a wife not related to the husband by blood.

The book is furnished with a good index, has many illustrations in the text, and the discussions and notes have been very carefully written. May this splendid work continue!

SAMUEL A. B. MERCER.

An Introductory Hebrew Grammar. By the late A. B. Davidson. Revised throughout by J. E. McFadyen. Edinburgh: T. & T. Clark, 1916, pp. xiv + 236.

This twentieth edition of Davidson's famous grammar has preserved little of the original work but the order of the sections. Mr. McFadyen has profited much by the searching criticisms of his nineteenth edition (for example, Wm. B. Stevenson in *Review of Theology and Philosophy*, May, 1915) and has corrected the many errors which disfigured that issue. This grammar has been the *vade mecum* of hundreds of Old Testament students and is one of the most serviceable text books in the field. It has been made still more serviceable by the copious exercises, pointed and unpointed, and by the excellent vocabularies which contain many proper nouns. One criticism made of the nineteenth edition is still true of the twentieth, namely, the disproportionate amount of space given to

the technical paragraphs at the beginning of the book. Much space could have been saved by a condensation here for fuller exercises later on in the book.

All students of Hebrew will be glad that a new lease of life is given this excellent book. The reviewer, however, has always believed that the confused appearance of the text is repellent to the student. For a beginning book it could be more condensed, better spaced, and printed in larger type.

SAMUEL A. B. MERCER.

Studies in the Books of Daniel. A Discussion of the Historical Questions. By Robert Dick Wilson, Ph.D., D.D. New York and London: G. P. Putnam's Sons, 1917, pp. xvi + 402. \$3.50 net.

The author, in this volume, treats of the objections made to the historical statements contained in the Book of Daniel. In a second volume he will discuss the objections made on the ground of philological assumptions. In a third he will discuss the relation of the Book of Daniel to the canon of the Old Testament, as well as its position in similar literature of Judaism.

Professor Wilson has accomplished his task in a very methodical way. He has gone to almost infinite pains to verify every statement; he has shown himself master of the literature of his subject; and has evinced an excellent acquaintance with the linguistic problems involved. The reviewer has not verified every reference in the mass of material used by the author, but among the many which he has verified only one error has been noted, namely, an assertion that the Samaritan has the word קסם, "sorcerer, in Gen. 41:8. The Samaritan, in this passage, reads חכמים, "wise men."

In the opinion of the reviewer, Dr. Wilson has proved his point about the argument from silence as applied to Daniel. He has also shown that to expect to find the name of Daniel on contemporary monuments is unreasonable, and that Daniel 1:1-3 is perhaps reliable. But the chapter on "Belshazzar" contains so many "probables" and "mays" as not to inspire confidence. Without going into detail it may be said that just the opposite of what Professor Wilson claims to prove in this and the succeeding chapters of the

book may quite as easily be proved. It will be interesting to see how he will tackle the more literary and religious problems of the book, but it is hoped that he will be more successful. As an example of the futility of Dr. Wilson's argument and of his habitual quibbling and juggling of statements, the reader may be referred to the argument about the two supposed fathers of Belshazzar, or to his chapter on "Darius the Mede." Adopting Wilson's method anything may be proved to be anything else — the process would be a mere matter of juggling and assuming. He begins with his mind made up as to what his results must be.

Typographical errors are very rare, only "Lewy" for Levy (p. 96) and "his" for "this" (p. 224) being noted. The author has done his work with much care, and has put in convenient form a great deal of pertinent material. His work cannot be ignored by any student of the Book of Daniel and its problems, and his future works on the same subject will be awaited with eagerness.

SAMUEL A. B. MERCER.

Religions of the Past and Present. Edited by James A. Montgomery, Ph.D., S.T.D. Philadelphia and London: J. B. Lippincott Company, 1918, pp. 425. \$2.50 net.

This volume on the great religions of the world contains a series of lectures which were delivered during the winter of 1916-17 by members of the Faculty of the Graduate School of the University of Pennsylvania. Eleven lecturers have treated fourteen religions or phases of religions, each in his own peculiar way. The aim was to treat each religion authoritatively and individually, and on the whole the treatment has gained in variety and freshness the equivalent of what it has lost in unity of treatment and of point of view. But the quality of the lectures is exceedingly unequal.

The first lecture by Speck, on Primitive Religion, is compact, well divided and well written, though there are questionable statements. The author repeats the common fallacy that the savage had no philosophy, when he means to say that the savage had no system of philosophy. For if a man, no matter how primitive, thinks at all he philosophizes. His treatment of primitive ethics is rather unfortunate, failing to realize that the content of the conception of sin

varies at various stages of human development. There are some slips in spelling, such as, for example, Frazier *for* Frazer.

Dr. Mueller's treatment of the Egyptian Religion is really a discussion of the pantheon. He begins by disclaiming any particular admiration for early Egyptian religion, and one would certainly agree with him if his reading did not extend beyond this treatment of the subject. No conception of the inner religious life of the people is at all attempted. Moreover, the style of the monograph is wretched; read, for example, p. 34.

It is refreshing to pass to Jastrow's treatment of the Religion of Babylonia and Assyria. His style is always excellent and the arrangement of his materials never fails to be orderly and logical. He is, however, disappointing in his treatment of the form of worship and of the eschatological teaching of the Babylonians and Assyrians. This may have been due to lack of space.

Montgomery in his monograph on the Hebrew Religion starts with a really excellent paragraph, but there he seems to have exhausted himself, for what follows is a first rate example of how not to write English. His style is ambiguous and ungrammatical to an extreme. He has no conception of the use of "the" and "a," and what such expressions as, "an almost dogma," "the very pole to a starting point," "the Evangelist of the Second Isaiah," "God, pulsating along with man," etc., etc., mean is hard to tell. He tells us that Yahwe is "a Protoplast with his own hands in the Yahwistic Creation Story," which reminds us of "a table for sale by a woman with carved legs." He also speaks about "a phrase which remained acceptable to the late hand," which again reminds us of the man who was "sorry to see so many absent faces with whom he used to shake hands." There is scarcely a paragraph in which there is not some elementary grammatical or rhetorical mistake. The monograph is really not a treatment of the Hebrew Religion but a discussion of various phases of it, and even here there are many false statements and deductions, e.g., the assertion that "Patriarchs are not priests," that the maintenance of the relation between God and man was dependent upon man's *disobedience*, and that "it is only with the Exile that the priest becomes the prophet," implying that the decadence of prophecy was due to the priest. If ever a second edi-

tion is called for, this chapter should be entirely rewritten. The last paragraph begins: "Such is this strange religion"; and, as as presented in this monograph, it surely is strange!

Dr. Edgerton's chapters on the Religion of the Veda, Buddhism, Brahmanism and Hinduism are excellent treatments of very complicated subjects; Dr. Kent's monograph on Zoroastrianism is a clear and succinct treatment of the subject, as is also Jastrow's chapter on Mohammedanism. The Religion of Greece by Hyde and the Religion of the Romans by Hadzsits are well done. Johnson in his treatment of the Religion of the Teutons is rather confusing in his classifications, e.g., he places sacrifices in the category of ethics rather than in that of rites; otherwise, his treatment seems good. The last two monographs, Early Christianity by Dr. Newbold and Mediaeval Christianity by Dr. Howland are fair, though the former author seems to be under the impression that the Book of Enoch is a unit, and that the imminence of the coming of the Kingdom, and God as a loving being were not known to early Judaism. Dr. Howland's treatment of the mediaeval Church is fresh and interesting. Good bibliographies are appended to each of the monographs. It is strange that in a book entitled "Religions of the Past and Present" no place is given to the most characteristic religions of China and Japan.

It is the reviewer's opinion that for a brief study of a group of religions, such as is presented in this book, single authorship would be far preferable, as in the case of George Foote Moore's work. Such glaring contradictions as Mueller's low estimate of the Egyptian religion and Montgomery's assertion of the fascination of the same religion, and such inconsistency of spelling as Yahwe and Yahweh in the same volume would be avoided.

SAMUEL A. B. MERCER.

The Mythology of all Races, Vol. XII. Egyptian. By W. Max Mueller. *Indo-Chinese.* By Sir James George Scott. Boston: Marshall Jones Company, 1918, pp. xiv + 450.

Dr. Max Mueller warns his readers that what he offers on the mythology of Egypt can only be "a sketch of a vast theme." But the sketch has involved its author into an almost endless amount of

investigation because of the paucity of previously organized study in this subject.

After a very informing introduction the author plunges into his subject, beginning with a discussion of the "local gods" which is followed by a very succinct account of the "Worship of the sun" and a treatment of "other gods connected with nature." In chapter five he begins the real part of his work, collecting Egyptian myths about "the creation of the world and of man," "the destruction of mankind," "why the sun-god withdrew from earth," "the sun-god, Isis, and the serpent," "how the moon became ruler of the night," and "the lost eye of the sun-god." The text selections here are very well made. Then follows a discussion of "the Osirian cycle" with "some texts referring to Osiris-myths." Here he breaks off into a description of "the other principal gods," of "foreign gods," where he sees an Asiatic influence. Then comes a section which treats of the "worship of animals and men." This is succeeded by a discussion of subjects which are purely religious and cultural, e.g., "life after death," "ethics and cult," "magic"; and finally there comes a chapter on the "development and propagation of Egyptian religion."

Dr. Mueller has made his subject much more difficult than was necessary. If he had distinguished more clearly between what is essentially religious discussion and mythological treatment, he would have saved much space for a fuller and more thorough treatment of his real subject. With this in view, the chapter on religion could have been reduced eighty per cent the same is true of many other chapters. The fundamental weakness of the whole work is the treatment of myths as if they grew up at one period and never changed thereafter. The reader is left with the impression that the mythology of the pre-dynastic period is the same as that of the Eighteenth Dynasty. Space should have, and could have, been made for a chronological discussion of Egyptian myths. Issue may easily be taken with the author on what he says about Egyptian ethics. It is true that "it is difficult to judge the morality of a nation from a distance of several thousand years and from scanty material derived chiefly from cemeteries," but it is also true that our estimate must be based upon contemporary documents and not

upon what we may suppose to have been the state of affairs. Dr. Mueller has made up his mind that the Egyptians were a frivolous and light-hearted people, and no amount of contemporary evidence seems to be able to change it. In his discussion of "magic," the author proceeds in the unscientific way of failing to distinguish periods, which results in endless confusion. He also ascribes to the ancient Egyptians a power of distinction between "sacred" and "divine" which is very unusual for even intelligent modern peoples — a distinction which, in other words, is unreal.

The author's viewpoint in respect to the relation between Egypt and Asia is that "a very considerable part of Egyptian religious thought was derived from or influenced by the mythology of Asia."

The work is furnished with an excellent and full collection of notes, and a fine bibliography, the only omission from which seems to be Van der Leeuw's *Godsvoorstellingen in de Oudaegyptische Pyramidetexten*. It is a great pity that the publishers did not arrange for a full index, for the author has brought together a great mass of important material.

Although the work leaves much to be desired, Dr. Mueller is to be thanked for his labor in a field where very little is being done, and is to be congratulated upon the courage with which he has done his work, but it is hoped that a future work on Egyptian mythology will confine itself more strictly to the subject and hence be more systematic and complete.

Scott's treatment of Indo-Chinese mythology is conceived with a much greater sense of proportion. After a brief introduction on transcription and pronunciation and a short chapter on the "peoples and religions of Indo-China," he writes a fascinating account of "Indo-Chinese myths and legends." Here he proceeds in the time-honored manner by dealing in order with creation myths, myths about the introduction of death into the world, about the forbidden fruit, the Tower of Babel among the different groups, serpents and serpent worship, the deluge, and national heroes who were deified. Then follows a chapter on festivals, where a wealth of mythological material is to be found, and finally a chapter is devoted to a discussion of "the thirty-seven Nāts," the most characteristic denizens of the Indo-Chinese pantheon. The author's treatment of his sub-

ject is most sane and lucid, showing a complete grasp of his subject, and passing with ease from one phase of this interesting theme to another. He sees a great similarity between these Indo-Chinese myths and the myths of other peoples, for the folk-lore of civilization is the primitive ideas out of which civilization has slowly grown.

Scott's notes and bibliography are very meagre, and worst of all there is also here no index to aid one in finding the interesting material woven into the narrative. The whole volume is well illustrated.

SAMUEL A. B. MERCER.